IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

CRP.No. 800 of 2004

OP(EA.) 142/2000 ADDL.DISTRICT COURT,KOTTAYAM
.....

REVN. PETITIONER: ADDL.3RD RESPONDENT

POWER GRID CORPORATION OF INDIA LTD.,
LOCAL OFFICE, NANGIARKULANGARA,
KAYAMKULAM, REPRESENTED BY ITS MANAGER.

BY ADV. SRI.K.P.DANDAPANI (SR.)

RESPONDENTS: PETITIONERS
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1. **P.K.PEETHAMBARAN,**
   PATHILPARAMBIL, POOVANTHURUTH P.O.,
   KOTTAYAM DISTRICT.

2. **P.P. VINOD, S/O. P.K.PEETHAMBARAN,**
   -DO-

3. **P.P. BINDU, W/O. SAJI KUMAR, -DO-**

BY ADV. SRI.P.RAVINDRA BABU - R1 TO R3

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 05/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J

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C.R.P.No.800 OF 2004

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Dated this the 5th day of December 2007

ORDER

This revision petition is preferred against the order of the Addl.District Court, Kottayam in O.P.(E.A.)No.142 of 2000. The learned District Judge granted an amount of Rs.3636/- towards further compensation for the trees cut and removed and Rs.2,400/- towards diminution in land value. The court below found that jack fruit trees, teak trees, etc. had been cut and removed and found that Rs.25,509/- will be total amount and after deducting the amount already awarded, Rs.3,636/- was granted. It is true that the principle laid down in the decision reported in ***Kumba Amma v. K.S.E.B.(2000(1) KLT 542)*** has been accepted. Whatever it may be, one can see that from the nature of the cuttings and the land involved, I do not find it as excess compensation awarded. So far as the land value is concerned, the court has only granted 10% as the diminution in land value. Though it was claimed that 20 cents had been lost, the court found it as 6 cents and therefore an amount of Rs.2,400/- had been awarded under that head.

Therefore, there is no illegality or irregularity in the order passed by the court below. Therefore C.R.P. lacks merit and the same is dismissed.

M.N.KRISHNAN, JUDGE

Cdp/-